UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/815,708	04/02/2004	Jea Yong Yoo	1740-000095/US	9728

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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 September 2008*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,4-7,13,17 and 29-31* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 2, 4-7, 13, 17 and 29-31* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible

for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has

been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37

CFR 1.114. Applicant's submission filed on 9/3/08 has been entered.

Specification

2.   The disclosure is objected to because of the following informalities: (see below).

        Appropriate correction is required.

3.   The amendments filed 3/27/08 and 9/3/08 are objected to under 35 U.S.C. 132(a)

because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no

amendment shall introduce new matter into the disclosure of the invention. The added material

which is not supported by the original disclosure is as follows: A "computer-readable medium"

and a "computer-readable media" as found in the claims and newly added matter to the

specification (Paragraph [0023]), respectively, is nowhere initially found in the original

disclosure.

        Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as
> set forth in section 102 of this title, if the differences between the subject matter sought to be
> patented and the prior art are such that the subject matter as a whole would have been obvious
> at the time the invention was made to a person having ordinary skill in the art to which said

subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 1, 2, 4-7, 13, 17 and 29-31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Saeki et al. (US 6,067,400) in view of Kashiwagi et al. (US 5,923,869 A).

Regarding Claim 1, Saeki et al. teaches a computer-readable medium storing a data

structure for managing reproduction data comprising:

- a first area storing at least one data playing unit including the video data (in at least Fig.

  16 – video title set having VOB and video title set table with PGC and title information to

  video data, Figs. 6, 17); and

- a second area storing navigation information for managing the data playing unit including

  the video data (Fig. 16 – VOB position information), the navigation information including

  a resume flag indicating whether resumption of reproduction of the data playing unit at a

  suspended position is permitted or prohibited (Figs. 6, 7, 11 – further clarified in that

  management pack of VOBU comprising DSI packet wherein each DSI packet contains

  return addresses to resume reproduction of application, such as movie (Col. 4, lines 51-

  53) after manually pressing MENU on remote controller, wherein if return address were

  absent, no resumption from address would be allowed from that address; Col. 12, lines

  44-55 as well as PCI packets) but fails to explicitly teach the resume flag indicating

  whether resumption of reproduction of the data playing unit at a suspended position is

  permitted or prohibited.

Hamada et al. teaches the resume flag indicating whether resumption of reproduction of

the data playing unit at a suspended position is permitted or prohibited (in at least Figs. 38, 40A-

C, 41A-B; Paragraphs [0242,0258,0267-0269] – having resume_mode_flag indicating position

of last suspension for permitting resumption of playback of last location via resume_switch, Fig. 36). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a flag or bit that characterizes the location of video last viewed before stoppage such as a power failure so as to allow user option to continue viewing from such malfunction without having to start over again.

Regarding Claim 2, Saeki et al. teaches the computer-readable medium of claim 1, wherein the data playing unit is a title (in at least Fig. 16 – program chain and title information table with PGC and title information to video data, Figs. 6, 17).

Regarding Claim 4, Saeki et al. teaches the computer-readable medium of claim 1, wherein the data playing unit is a data section specified by a movie object constituting a title (in at least Fig. 16 – first layer comprised of video title set with VOB).

Regarding Claim 5, Saeki et al. teaches the computer-readable medium of claim 4, but fails to explicitly teach wherein the resume flag is recorded in the movie object pertaining to the navigation information.

Hamada et al. teaches wherein the resume flag is recorded in the movie object pertaining to the navigation information (in at least Figs. 38, 40A-C, 41A-B; Paragraphs [0238,0242,0258,0267-0269] – having resume_mode_flag recorded within Fig. 35; Paragraph [0226]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have such flag recorded within the stream to enable easy navigation when device checks where playback was last left off.

Regarding Claim 6, Saeki et al. teaches the computer-readable medium of claim 1, but fails to explicitly teach wherein the navigation information further includes commands to conduct operations according to value of the resume flag.

Hamada et al. teaches wherein the navigation information further includes commands to conduct operations according to value of the resume flag (in at least Figs. 38, 40A-C, 41A-B; Paragraphs [0238,0242,0258,0267-0269] – having resume_mode_flag having value so as to allow playback via resume_switch)

Regarding Claim 7, Saeki et al. teaches the computer-readable medium of claim 1, wherein the resume flag is applied when menu presentation is called during reproduction of the data playing unit (Col. 24, line 60-Col. 25, line 8 – storing return addresses and resuming current VOBU for menu display) but fails to explicitly teach the resume flag.

Hamada et al. teaches the resume flag (in at least Figs. 38, 40A-C, 41A-B; Paragraphs [0242,0258,0267-0269] – having resume_mode_flag indicating position of last suspension for permitting resumption of playback of last location via resume_switch, Fig. 36). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have a flag or bit that characterizes the location of video last viewed before stoppage such as a power failure so as to allow user option to continue viewing from such malfunction without having to start over again.

Regarding Claim 13, Saeki et al. teaches a method for recording a data structure for managing reproduction of video data on a computer-readable medium, comprising:

- recording at least one data playing unit including the video data on the computer-readable medium (Col. 20, lines 31-38 – storage of PGC with VOB); and

- recording navigation information for managing the data playing unit including the video data on the computer-readable medium (Fig. 16 – VOB position information stored along with DSI and PCI packets, Col. 12, lines 44-55), wherein the navigation information includes a resume flag which indicates whether resumption of reproduction of the data playing unit at a suspended position is permitted or prohibited (Figs. 6, 7, 11 – further clarified in that management pack of VOBU comprising DSI packet wherein each DSI packet contains return addresses to resume reproduction of application, such as movie (Col. 4, lines 51-53) after manually pressing MENU on remote controller, wherein if return address were absent, no resumption from address would be allowed from that address; Col. 12, lines 44-55 as well as PCI packets).

Saeki et al. fails to explicitly teach recording on the recording medium and the resume flag which indicates whether resumption of reproduction of the data playing unit at a suspended position is permitted or prohibited.

Hamada et al. teaches recording on the recording medium (see Abstract, Paragraphs [0062,0110,0112] - recording on medium) and the resume flag indicating whether resumption of reproduction of the data playing unit at a suspended position is permitted or prohibited (in at least Figs. 38, 40A-C, 41A-B; Paragraphs [0242,0258,0267-0269] – having resume_mode_flag indicating position of last suspension for permitting resumption of playback of last location via resume_switch). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have video information including the video data to be recorded onto a medium so as to make data portable to be reproduced at various locations and to have a flag or bit that characterizes the location of video last viewed before stoppage such as a power failure so as to allow user option to continue viewing from such malfunction without having to start over again.

Regarding Claim 17, Saeki et al. teaches an apparatus for recording a data structure for managing reproduction of video data on a computer-readable medium, comprising:

- a recording unit configured to record at least one data playing unit including the video data on the computer-readable medium (Col. 20, lines 31-38 – storage of PGC with VOB);

- a controller configured to control the recording unit to record the video data (Fig. 20, 93 – control unit; Col. 18, lines 6-15) on the computer-readable medium, and

  - to record navigation information for managing the data playing unit including the video data (Fig. 16 – VOB position information stored along with DSI and PCI packets, Col. 12, lines 44-55) on the computer-readable medium (Fig. 20, 93 - system control unit), wherein the navigation information includes a resume flag which indicates whether resumption of reproduction of the data playing unit at suspended position is permitted or prohibited (Figs. 6, 7, 11 – further clarified in that management pack of VOBU comprising DSI packet wherein each DSI packet contains return addresses to resume reproduction of application, such as movie (Col. 4, lines 51-53) after manually pressing MENU on remote controller, wherein if return address were absent, no resumption from address would be allowed from that address; Col. 12, lines 44-55 as well as PCI packets).

Saeki et al. fails to explicitly teach recording on the recording medium and the resume flag which indicates whether resumption of reproduction of the data playing unit at a suspended position is permitted or prohibited.

Hamada et al. teaches recording on the recording medium (see Abstract, Paragraphs [0062,0110,0112] - recording on medium) and the resume flag indicating whether resumption of

reproduction of the data playing unit at a suspended position is permitted or prohibited (in at least Figs. 38, 40A-C, 41A-B; Paragraphs [0242,0258,0267-0269] – having resume_mode_flag indicating position of last suspension for permitting resumption of playback of last location via resume_switch). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have video information including the video data to be recorded onto a medium so as to make data portable to be reproduced at various locations and to have a flag or bit that characterizes the location of video last viewed before stoppage such as a power failure so as to allow user option to continue viewing from such malfunction without having to start over again.

Regarding Claim 29, Saeki teaches the computer-readable medium of claim 5, wherein the movie object is suspended and maintained when the resumption is permitted (Figs. 6, 7, 11 –each DSI packet contains return addresses to resume reproduction of application, such as movie (Col. 4, lines 51-53) after branching, or suspension, by manually pressing MENU on remote controller with resumption, Col. 24, line 60 - Col. 25, line 25, wherein if return address were absent, no resumption from address would be allowed from that address; Col. 12, lines 44-55 as well as PCI packets).

Regarding Claim 30, Saeki teaches the method of claim 13, wherein the data unit is a title (in at least Fig. 16 – program chain and title information table with PGC and title information to video data, first layer comprised of video title set with VOB; Figs. 6, 17)

Regarding Claim 31, Saeki teaches the apparatus of claim 17, wherein the data playing unit is a title (in at least Fig. 16 – program chain and title information table with PGC and title information to video data, first layer comprised of video title set with VOB; Figs. 6, 17).

Regarding Claim 32, asdf teaches the method of claim 31, wherein the data playing unit is a data section specified by a movie object constituting a title (in at least Fig. 16 – program chain and title information table with PGC and title information to video data, first layer comprised of video title set with VOB; Figs. 6, 17).

Regarding Claim 33, adsf teaches the method of 32, but fails to explicitly teach wherein the resume flag is recorded in the movie object.

Hamada et al. teaches wherein the resume flag is recorded in the movie object pertaining to the navigation information (in at least Figs. 38, 40A-C, 41A-B; Paragraphs [0238,0242,0258,0267-0269] – having resume_mode_flag recorded within Fig. 35; Paragraph [0226]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have such flag recorded within the stream to enable easy navigation when device checks where playback was last left off.

Regarding Claim 34, asdf teaches the computer-readable medium of claim 5, wherein the movie object is suspended and maintained when the resumption is permitted (Figs. 6, 7, 11 –each DSI packet contains return addresses to resume reproduction of application, such as movie (Col. 4, lines 51-53) after branching, or suspension, by manually pressing MENU on remote controller with resumption, Col. 24, line 60 - Col. 25, line 25, wherein if return address

were absent, no resumption from address would be allowed from that address; Col. 12, lines 44-

55 as well as PCI packets).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner

should be directed to Michael Choi whose telephone number is (571) 272-9594. The examiner

can normally be reached on Monday - Friday 9:00AM - 5:30PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Marsha Banks-Harold can be reached on (571) 272-7905. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

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would like assistance from a USPTO Customer Service Representative or access to the

automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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